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FILED
DISTRICT COURT OF GUAM

NOV 13 2007

JEANNE G. QUINATA
Clerk of Court

8 IN THE DISTRICT COURT OF GUAM

10 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 07-00026
11)
12 Plaintiff,)
13 vs.) **DECLARATION OF COUNSEL**
14 BRIAN ELM,) **IN SUPPORT OF MOTION TO**
15 Defendant.) **WITHDRAW AS COUNSEL OF**
16) **RECORD**

16 **DECLARATION OF SAMUEL S. TEKER**

17 I, JOSEPH C. RAZZANO, hereby declare as follows:

18 1. That I am an associate with the firm of Teker Torres & Teker, P.C., court-appointed
19 counsel for Defendant Brian Elm in the above-captioned matter.

20 2. A telephone conference was held on November 13, 2007 in which Mr. Elm expressed
21 he believed I was forcing him to take a plea. He stated, "If you are going to force me to take a plea
22 why don't you withdraw from my case." Mr. Elm also stated that I was not properly fighting for
23 him. I believe the attorney-client relationship has been damaged beyond repair and Defendant will


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1 be unable to assist counsel at trial.

2 3. Therefore, I believe that there is a conflict of interest in this case and request that our
3 firm be relieved as counsel for Defendant Elm and that new counsel be appointed.

4 I hereby declare under penalty of perjury that the foregoing declaration is true and correct.

5 Executed at Hagåtña, Guam, this 13th day of November, 2007.

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JOSEPH C. RAZZANO